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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/531,631

04/14/2005

Anne Costantini

37261P108

8391

8791

7590

09/02/2009

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EXAMINER

MILLER, WILLIAM L

ART UNIT

PAPER NUMBER

3677

MAIL DATE

DELIVERY MODE

09/02/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/531,631	<b>Applicant(s)</b> COSTANTINI, ANNE	
	<b>Examiner</b> William L. Miller	<b>Art Unit</b> 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 03 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,9-15,19,20,23-27 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9-15,19,20,23-27,29-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 14 and 15 are objected to because of the following informalities:
2. claim 14, line 4, change second recitation of “a” to --the--;
3. claim 14, line 5, change “n” to --in--; and
4. claim 15, line 3, change “position” to --portion--.
5. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

6. Claims 1, 2, 4-6, 9-15, 19, 20, 23-27, and 29-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
7. In claim 1, line 6, "the axial passage opening" lacks antecedent basis. Further, it is unclear if this phrase is referencing the open-ended or blind axial transverse passage previously recited in claim 1.
8. It is unclear if the “central opening” recited in claim 1, line 8, is referencing the transverse passage or axial passage opening previously recited in claim 1.
9. In claim 1, line 14, “the tip of the punch” lacks antecedent basis.
10. In claim 1, line 15, the phrase “the sleeve is blind” is structurally unclear and thus indefinite.
11. It is unclear if the "internal and external walls" recited in claim 2 are referencing any of the walls previously recited in claim 1.

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12. It is unclear if the "lower cylindrical inner wall" is recited in claim 4 is referencing the lower cylindrical wall previously recited in claim 1.

13. In claim 4, line 6, "the orthogonal peripheral wall" lacks antecedent basis.

14. Claim 9 recites vertical walls (plural), while claim 1 recites only a vertical cylindrical wall (singular).

15. In claim 12, line 2, "the external shoulder" lacks antecedent basis.

16. In claim 13, line 8, the phrase "said sleeve is blind" is structurally unclear and thus indefinite.

17. It is unclear if the "peripheral wall" recited in claim 13, line 12, is referencing the external wall previously recited in claim 13.

18. It is unclear if the "peripheral rim" recited in claim 15, line 2, is referencing the external wall previously recited in claim 13.

19. In claim 23, lines 5-6, the phrases "the axial passage opening" and "the fixing means" lack antecedent basis.

20. It is unclear if the "central opening" and "open-ended or blind axial passage" recited in claim 23, lines 8-9, is referencing the axial passage opening previously recited in claim 23.

21. It is unclear if the "cylindrical wall" and "lower cylindrical wall" recited in claim 23, lines 9-10, are referencing the internal walls previously recited in claim 23.

22. In claim 23, line 10, "said planar wall" lacks antecedent basis.

23. It is unclear if "vertical cylindrical wall" recited in claim 23, lines 11-12, is referencing the external walls previously recited in claim 23.

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24. Claim 23, line 15, recites vertical walls (plural), while claim 23, lines 10-11 only recite a vertical wall (singular).

25. It is unclear if the “orthogonal peripheral wall” recited in claim 24, line 2, is referencing the external wall previously recited in claim 23.

#### ***Allowable Subject Matter***

26. Claims 1, 13, and 23 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

27. Claims 2, 4-6, 9-12, 14, 15, 19, 20, 23-27, and 29-31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

28. Applicant’s arguments have been fully considered and are persuasive. Therefore, all prior rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made above.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is (571) 272-7068.

The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Victor Batson can be reached on (571) 272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William L. Miller/  
Primary Examiner, Art Unit 3677